### REMARKS

Applicants provide the following response to the Restriction Requirement mailed May 15, 2000. Claims 1-39 are at issue. The Examiner restricted the claims into three groups: Group I (Claims 1-19, 28-29), Group II (Claims 30, 32-33, 36-37, 39), Group III (Claim 31, 34-35,38). Applicants elect Group II without traverse. However, since the claims of Group II were in dependent form, Applicants have rewritten the claims in independent form. As a result, only Claims 30, 31, 36 and 37 are now pending. All amendments were made to further clarify one embodiment of the present invention and are not made to overcome prior art or any pending rejections; moreover, Applicants hereby expressly reserve the right to prosecute the original claims (or similar claims) in further prosecution. Of course, the claims of Group I and III can be pursued divisional applications.

Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect at (617)-252-3353.

Dated: July 27, 2001

Veter G. Carroll

Registration No. 32,837

MEDLEN & CARROLL, LLP 220 Montgomery Street, Suite 2200 San Francisco, California 94104

## **APPENDIX I**

## CLEAN VERSION OF REWRITTEN, ADDED, AND/OR CANCELLED CLAIMS

- 30. A method for producing plant virus particles comprising: a) providing i) plant viral nucleic acid comprising nucleic acid which codes for the coat protein, ii) a foreign nucleotide sequence coding for a foreign peptide; b) modifying said plant viral nucleic acid by inserting said foreign nucleotide sequence coding for a foreign peptide at a site within said plant viral nucleic acid which codes for the coat protein so as to create modified viral nucleic acid comprising an insert, wherein said site of said insert is free from direct sequence repeats flanking said insert; c) infecting plant material selected from the group consisting of plants, plant tissue, plant cells and protoplasts with said modified viral nucleic acid; and d) harvesting assembled particles of the modified virus from said plant material.
- 31. The method according to claim 30, in which the insert is an addition to said coat protein.
- 36. The method according to claim 30, in which the foreign nucleotide sequence is inserted by i) selecting two different restriction enzyme sites in the plant viral nucleic acid; ii) cutting the plant viral nucleic acid using the corresponding restriction enzymes; and iii) inserting into the cut viral nucleic acid a pair of complementary oligonucleotides which encode the foreign peptide and which terminate in ends compatible with the restriction enzyme cutting sites.

### APPENDIX II

# CLEAN VERSION OF THE ENTIRE SET OF PENDING CLAIMS AS AMENDED IN THIS COMMUNICATION

- 30. A method for producing plant virus particles comprising: a) providing i) plant viral nucleic acid comprising nucleic acid which codes for the coat protein, ii) a foreign nucleotide sequence coding for a foreign peptide; b) modifying said plant viral nucleic acid by inserting said foreign nucleotide sequence coding for a foreign peptide at a site within said plant viral nucleic acid which codes for the coat protein so as to create modified viral nucleic acid comprising an insert, wherein said site of said insert is free from direct sequence repeats flanking said insert; c) infecting plant material selected from the group consisting of plants, plant tissue, plant cells and protoplasts with said modified viral nucleic acid; and d) harvesting assembled particles of the modified virus from said plant material.
- 31. The method according to claim 30, in which the insert is an addition to said coat protein.
- 36. The method according to claim 30, in which the foreign nucleotide sequence is inserted by i) selecting two different restriction enzyme sites in the plant viral nucleic acid; ii) cutting the plant viral nucleic acid using the corresponding restriction enzymes; and iii) inserting into the cut viral nucleic acid a pair of complementary oligonucleotides which encode the foreign peptide and which terminate in ends compatible with the restriction enzyme cutting sites.
- 37. A method according to claim 36, in which in the complementary oligonucleotides, the sequence encoding the foreign peptide is flanked by plant virus-specific sequences so that the foreign nucleotide sequence is inserted as an addition to the plant viral nucleic acid.